



To: Mr. Thomas Bonfield, City Manager
From: Jose L. Lopez, Sr., Chief of Police
Date: November 6, 2012
RE: Worksession/Chris Peronto

Mr. Chris Peronto's request to speak at the City Council Work Session on Thursday, November 08, 2012 is regarding a noise complaint against New Hope Church which is located at 7619 Fayetteville Road.

Since November of 2010 New Hope Church and some residents of the neighboring community have been at odds about the noise levels from the music played at the church. During this time period the Durham Police Department has attempted to resolve this issue with both parties with minimal success.

During this time period three different commanders from District Three have taken steps to resolve the problem to no avail. The commanders have met with members of the community and the church pastor. Suggestions on how to reduce the noise coming from the church was provided. The community has solicited legal representation who has communicated with the city attorney's office about addressing the problem.

Each commander would have officers respond to the complaints and document their findings. At various times the complaints would cease and for a while it seemed that the matter had been addressed.

Durham Police Department has reached out to the District Attorney's office for guidance in this matter. Initially, the DA's office advised it would not prosecute if a citation was issued to New Hope Church. However, the DA's office has now changed its position saying it will prosecute if a citation is issued.

Recently complaints from the community to the police about excessive noise have been received. On October 31, 2012, Captain David Addison, current District 3 Commander attempted to set up a meeting with New Hope Church and the Community at the Hills at Southpoint. Members of the community did not wish to meet with the church.

On November 04, 2012, Sergeant M. C. Walkowe responded to another noise complaint from community members about New Hope Church. A detailed report was completed which included various high readings from a noise meter which the sergeant used.

Assistant Chief Winslow Forbes will be scheduling a meeting with Pastor Benji Kelly advising him of the findings from the last noise meter readings and informing him that future documented excessive noise violations may result in criminal charges.